

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/518,968  
Confirmation No.: 3000  
First-Named Inventor: Guenter Frey  
Filing Date: December 21, 2004  
Group Art Unit: 1797  
Examiner: Maureen Wallenhorst  
Attorney Docket No.: 007404-000862  
Title: AUTOMATIC DIFFERENTIATION OF A SAMPLE  
SOLUTION AND A CONTROL SOLUTION

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the notice of noncompliant amendment dated August 29, 2008, please see the enclosed revised response.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.